

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 899 final

Brussels, 13 January 1983

Proposal for a
COUNCIL REGULATION (EEC)

on the strengthening of controls on the application of Community rules
on agricultural products - COM(82) 138 final

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

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In the Memorandum supplementing the Commission report on the Mandate of 30 May 1981 (COM(81)608 final/3) the section entitled "Improved control" states that the Community must tighten up supervision of the implementation of agricultural legislation.

The Commission already has powers of supervision under Council Regulation (EEC) N° 729/70 on the financing of the common agricultural policy. However, these powers which are linked with the financing of the common agricultural policy (CAP) do not generally concern control of the application of Community rules not directly associated with the financing of the CAP (e.g. recording of prices on representative import markets in the fruit and vegetables sector and in the wine sector, the use of sucrose and the rules on the planting of vines).

In order to ensure better management of the CAP, and in particular to guarantee uniform application thereof, the Commission needs the power to supervise the implementation of all agricultural legislation; in this connection the possibility of officials appointed by the Commission undertaking unannounced inspections seems likely to improve the effectiveness of the controls : no one would know that an inspection was to be carried out and the inspectors would not be known to those liable to inspection, which could prevent certain evidence disappearing when Community inspectors arrive on their own for an on-the-spot inspection.

It would therefore seem necessary

- to give the officials appointed by the Commission powers as regards control of the implementation of those provisions of Community and national legislation relating to the management of the CAP which have ^{direct} ~~no~~ financial implications for the Community budget and
- to give the officials appointed by the Commission the power to undertake inspection visits to the Member States without giving prior warning to the Member State concerned.